

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) 8:07CR395
)
)
ROMANDO MORSE,) **ORDER**
)
Defendant.))

Before the court is defendant's Unopposed Motion for Leave to File Motion Out of Time [14] and Motion for Extension of Time to File Brief in Support of Motion to Suppress [13]. Good cause being shown, the motions will be granted.

IT IS ORDERED:

1. That the Unopposed Motion for Leave to File Motion Out of Time [14] is granted. Defendant's Motion to Suppress [12] shall be deemed as timely filed. The time between December 20, 2007 and January 10, 2008 shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

2. Motion for Extension of Time to File Brief in Support of Motion to Suppress [13] is granted. Defendant's brief regarding the Motion to Suppress [12] shall be filed on or before February 7, 2008.

3. The previously schedule trial date is cancelled and trial will be set by further order of the court upon the resolution of the Motion to Suppress.

DATED this 10th day of January, 2008.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge